

Federal Property Management Regulations

§ 101-43.307-4

Assistance Administration, Department of Housing and Urban Development, or his designee, excess personal property shall be utilized in behalf of or loaned to State and local governments, with or without compensation therefor, pursuant to the Disaster Relief Act of 1974 (Pub. L. 93-288) and Executive Order 11795 of July 11, 1974, to provide assistance to State and local governments in alleviating suffering and damage resulting from any emergency or major disaster. Excess medicines, foods, and other consumable supplies may be distributed to State and local governments for these purposes. In the event such property has been reported to GSA pursuant to § 101-43.304, it shall be withdrawn by the holding agency pursuant to § 101-43.308.

§ 101-43.307 Items requiring special handling.

§ 101-43.307-1 Contractor inventory.

Subject to the limitations contained in this part and in parts 101-44 and 101-45, any executive agency may authorize any of its contractors or their subcontractors to retain or dispose of any contractor inventory pursuant to Federal Acquisition Regulation (48 CFR subpart 45.6) and under such orders as such agency may prescribe. In the case of contractor-owned contractor inventory, compliance with the utilization requirements and procedures in this part should ordinarily occur prior to the Government's exercising the applicable option to take over such property. When utilization efforts disclose that an agency will accept transfer of such property, the appropriate agency shall take the necessary action to acquire title for the Government.

§ 101-43.307-2 Hazardous materials.

Special handling requirements for hazardous materials and certain other categories of property are prescribed in part 101-42.

[57 FR 39136, Aug. 28, 1992]

§ 101-43.307-3 Conditional gifts for defense purposes.

(a) Any agency receiving an offer of a conditional gift (other than money or intangible property) for a particular defense purpose within the purview of

the Act of July 27, 1954 (50 U.S.C. 1151-1156) shall notify the appropriate GSA regional office and shall submit a recommendation as to acceptance or rejection of the gift.

(b) Prior to such notification, the receiving agency shall acknowledge receipt of the offer and advise the donor of its referral to a GSA regional office but shall not indicate acceptance or rejection of the gift on behalf of the United States. A copy of the acknowledgment shall accompany the notification and recommendation to the regional office.

(c) When the gift is determined acceptable and can be used in the form in which offered, it will be transferred without reimbursement to a Federal agency designated by GSA for use for the particular purpose for which it was donated.

(d) If the gift is one which GSA determines shall be converted to money, the funds, after conversion, will be deposited with the Treasury Department for transfer to an appropriate account which will best effectuate the intent of the donor, as provided in Treasury Department Circular No. 957, dated February 24, 1955.

(e) Such conditional gifts of property will be accepted or rejected on behalf of the United States or transferred to an agency by GSA only after consultation with the interested agencies.

(f) GSA will advise the donor and the agencies concerned of the action taken with respect to acceptance or rejection of the conditional gift and of its final disposition.

§ 101-43.307-4 Conditional gifts to reduce the public debt.

(a) Pursuant to 31 U.S.C. 3113, gifts may be made to the United States on the sole condition that the property be sold and the proceeds used to reduce the public debt. Any agency receiving an offer of a gift (other than money or intangible property) for such purpose shall notify the appropriate GSA regional office and shall submit a recommendation as to acceptance or rejection of the gift.

(b) Prior to such notification, the receiving agency shall acknowledge receipt of the offer and advise the donor